

SHEETS CLAIMS NO JURISDICTION

Alleged That Same Statement Is Set Forth in Two Informations.

ARGUMENT WILL BE HEARD

FRIDAY FIXED AS DAY FOR PRESENTING VIEWS.

George A. Sheets, former chief of police, was scheduled yesterday morning to plead to the bribery information filed against him by the district attorney before Judge Charles W. Morse, but instead of doing so, his attorneys entered a motion for dismissal, alleging that the court had no jurisdiction.

The specific charge upon which the former chief was to plead was receiving a bribe of \$1,500 on Sept. 20, 1906, in connection with the McWhirter case. The motion for dismissal is based on the following grounds:

That there is another action pending before the district court charging the defendant with the crime of conspiracy which is based on the same statement of facts as that set out and relied upon by the state in the bribery information.

That the district court has no jurisdiction, as Justice F. M. Bishop, before whom the preliminary examination was held, and who held Sheets to the district court, was without jurisdiction, thus making his action void and of no effect.

In regard to Justice Bishop's jurisdiction, it is alleged that the complaint was filed before him, charging conspiracy. Upon this Sheets was bound over to the district court by Justice Timpon after a change of venue had been taken.

The defense claims that then the bribery charge was made and that the statement of facts in it is identical with that in the conspiracy information. From this it is contended that the state is endeavoring to make two entirely different charges out of the same acts or series of acts.

The argument on the motion to dismiss will be heard by Judge Morse next Friday morning; until that time Mr. Sheets will not be allowed to enter his plea. The state yesterday was represented by Frederick C. Loofbourrow, district attorney, and Willard Hammon, county attorney. For Sheets Soren Christensen appeared.

Court Notes.

The Griffin Wheel company of Illinois filed suit against Margaret Howard and about thirty others to quiet title to block 27, plat C.

White's Dressed Meat company filed suit in the district court yesterday against L. John Tolman to recover \$740.50 alleged to be due for meat sold and delivered.

Judge M. L. Ritchie and Judge T. D. Lewis of the district court yesterday morning set the various civil cases for trial during the September term of court. A large number of attorneys were present in the courtrooms of each judge and the setting took all the morning.

Judge Morse yesterday entered a decree foreclosing a mortgage in favor of the plaintiff, the Pacific States Savings & Loan company and against Christina D. Cummings, M. L. Cummings, Lorenzo Snow and the Elgin Creamery company on a part of lot 4, block 73, plat D. The amount of the judgment was \$4,222.94 and \$100 attorney's fees.

S. D. Evans,

Undertaker and embalmer, removed to new location, 48 South State street.

Call and inspect our white enameled kitchen at the Royal Cafe. Cleanliness and sanitation are perfect.

J. J. McLELLAN

Begins season's teaching of piano and theory Monday, Sept. 9. Earnest pupils desiring hours should register, then.

Drawing Instruments,

Triangles, scales and T squares. Everything for mechanical draughting. New and complete stock.

BREEDEN OFFICE SUPPLY CO., 60 West 2nd South St.

ALMOST EQUALS RECORD.

Figures for Births and Deaths Well Up.

The birth and death rate in Salt Lake for the past week nearly equalled the year's record. There were forty-eight births, which is only one below the record, and thirty deaths, which is two fewer. Of the births twenty-two were males and twenty-six females; of the deaths sixteen were males and fourteen females. Twelve bodies were shipped hither for burial.

There were reported during the week fourteen contagious diseases, consisting of five cases of smallpox, three cases of scarlet fever, one case of chickenpox, three cases of diphtheria, and two cases of typhoid fever. There remained in quarantine at the end of the week five cases of smallpox, three cases of scarlet fever and two cases of diphtheria.

THE BEST PLAN

For a young man or woman starting out in life is to open a savings account with this company at 4 per cent interest with one dollar or more, and make a practice of saving money regularly, thereby providing for all emergencies.

Salt Lake
SECURITY & TRUST CO.,
Security and Trust Building,
32-34 Main St.

Capital and Surplus
\$300,000.00.

MAYOR WANTS TO BE SHOWN

Mr. Bransford Is Checking Up on Financial Condition of the City.

VIOLATES ALL PRECEDENTS

WILL KEEP TAB ON CONDITION OF SEVERAL FUNDS.

Mayor John S. Bransford is examining into the financial condition of the city. For the past three days he has had conferences with the special auditors who for several months have been examining the city's accounts with a view to establishing a uniform system of bookkeeping.

The significant feature of the quest of the mayor for knowledge is that he did not call any city officials into the conference, but relied entirely upon the auditors. Councilman Black of the finance committee of the city council was also present at the meeting.

The mayor is anxious to know the exact condition of all the city's funds, the expected revenue for next year and, in fact, everything regarding the financial condition of the city whose destinies he is guiding.

Mayor Wants to Know.

In speaking of the matter yesterday, Mayor Bransford said:

"After every council meeting I am confronted with a long list of appropriations made by the council, which I am asked to approve. These cover every subject imaginable, and as I am a new hand at the business of running a city, I thought that I ought to know the exact status of all the funds from which these appropriations are made so that I may act with some discretion when the list comes to me for my signature. A business man naturally wants to know where he is at, his assets and liabilities. I don't know this concerning the city, and I propose to find out all I can. The auditors have given me some very valuable information, and I intend to follow up on that subject until I familiarize myself with the conduct of business in every department."

Uniform Bookkeeping.

The auditors will complete their work in about two months. They have examined and checked all the records of the city in all but the engineer's and waterworks departments for a period of several years back, and up to Jan. 1, 1907.

When they finish they will make a report to the council asking that a simplified system of bookkeeping be established which will be uniform in each department, and which will have a system of daily balances, showing the exact condition of the treasury at a moment's inspection on each and every day of the year.

DEMAND A REVISION OF CITY ORDINANCES

There is a move on foot among the attorneys of the city to secure a revision of the ordinances. The last revision was made in 1903 and is now completely out of date and practically valueless. In order to locate ordinances passed since the revision it is necessary to go to the recorder's office and spend an hour searching through the files of the ordinances passed during the past four years.

It is probable that an appeal will be made to the council at an early date that a revision be commenced by January 1 at the latest.

It is contemplated carrying the old books up to January 1, 1908, and then establishing the new accounting system, transferring the balances at the end of the year from the old to the new books and discarding the old for everything except record purposes.

The mayor is much interested in this work and will co-operate with the auditors in every way possible.

LEAVES FAMILY DESTITUTE

J. P. Kilpatrick Arrested in an Intoxicated Condition.

Four hungry little children and a destitute mother were waiting for "papa" to come home yesterday with the money he had earned during the week as a scavenger. While they were waiting late Emery, deputy sheriff, arrested the father, J. P. Kilpatrick, at the Germania saloon in a badly intoxicated condition.

The warrants charges failure to provide for his wife and children. It appears that Kilpatrick has worked but little for some time, and has spent most of his earnings for liquor. The wife swore out the complaint.

WIFE-SELLING IN ENGLAND.

(San Francisco Argonaut.) Fifty years ago, writes a reader of a London paper, is by no means the most recent date of wife-selling in England, for even as late as the eighties such cases were by no means infrequent, and the thing given an almost judicial air by the care with which the vender was supposed to observe three conditions. First, six the same wife could not be sold twice; second, that the price must exceed one shilling; and, third, that she must be delivered to her purchaser with a halter round her neck.

Thomas Hardy, however, who has made the sale of a wife the theme of his novel, "The Mayor of Casterbridge," says nothing of any such conditions. As late as 1887 a wife was sold in a halter at Wakefield for half a guinea, while three years before two cases were reported from York in the same week. As a general rule it was only the poor and ignorant who followed this practice, but at least one case is on record in which the wife (duly haltered) and her husband drove up to Smithfield in a coach, and the price reached the record figure of fifty guineas and a handsome horse. "I sell my wife at Smithfield, ros-bif, pot of beer, God-damn, was the ignorant Frenchman's view of English. And he was not so far wrong."

Printing, Binding, Legal Blanks, Blank Books and Paper Ruling. Tribune-Reporter Printing Co., 66 W. 2d South, Salt Lake City. 'Phones 718.

Sunday Trains to Saltair.

9:30 a. m., 1:15 and 4:15 p. m. Good bathing.

Remodeled and better equipped than ever to serve the highest quality of luncheons, with prompt service, at the Royal Cafe.

LOCAL BRIEFS

WILL GO TO NEW YORK—Thomas J. Longley, United States immigration inspector, will leave today for New York on official business.

GO EAST ON BUSINESS—Ferd Strouse and J. H. Garret have gone east on a business trip in connection with the various enterprises they represent in this city.

ENTERTAINED FOR BRIDE—The Misses Richards, Ina and Effie Ashton entertained last evening in honor of Miss Florence Ashton, a bride of next week.

WILL VISIT IN EAST—Mrs. E. E. Frost and her sister, Mrs. John C. Sharp, left Thursday for New York and Philadelphia to visit for a few weeks with relatives.

WILL PREACH IN SALT LAKE—The Rev. Elmer I. Goshen, pastor of the First Congregational church, has returned from his vacation and will preach at 11 o'clock this morning in the Salt Lake theatre.

FUNERAL OF JAMES LAMBERT—The funeral of James Lambert will take place from the Pioneer stake meeting house today. The cortege will leave the residence, 34 South First West, at 12 o'clock.

KNIGHTS OF COLUMBUS CELEBRATION—The Knights of Columbus will celebrate their anniversary Tuesday evening with a musical evening to be followed by an elaborate buffet lunch in their lodge rooms.

TO COME—Douglas Smith of Chicago, president of the Utah Gas & Coke company, and Granger Farwell of the Farwell Trust company, chairman of the gas company's board, will be in the city Monday night.

CHILD IS DEAD—Theodore George Free Hardy, the infant son of James H. Hardy and his wife, died yesterday at the family residence, No. 817 East Eighth South street. The mother died last December. The funeral will be held at 2 o'clock this afternoon.

SUES FOR DIVORCE—Katie Esther Bishop wants a divorce from Charles Bishop. In a complaint filed yesterday she says he deserted her August 27, 1906, at Salt Lake. They were married in Denver, October 4, 1904. Mrs. Bishop asks the divorce against him in the district court. The wife also asks for the custody of the three children. Their marriage took place in Sweden in 1890.

FAILURE TO PROVIDE—Hilda Ahlquist alleges that George O. Ahlquist has failed to provide for his family since last February and has brought an action for divorce against him in the district court. The wife also asks for the custody of the three children. Their marriage took place in Sweden in 1890.

BEER RATES UNCHANGED—Frank H. Plaisted, assistant general freight agent of the Oregon Short Line and George Olsen of Olsen & Lytle, returned yesterday from a meeting of the Trans-Missouri freight board meeting that has been in session at Glenwood Springs. One of the important matters discussed was a proposition to increase the rate on beer 10 cents per barrel from the Missouri river to Utah common points. Representatives of all the big breweries attended the meeting. The increase was defeated by the freight agents. It was announced last night that rates, generally speaking, will remain undisturbed for the present.

WILL NAME SMOOT TICKET

Republicans Fix Date of City Convention for September 30.

At a meeting of the Republican city committee in the D. F. Walker building last evening it was decided to hold the Republican city convention on Sept. 30. The primaries will be held Sept. 24 and the ward conventions to nominate councilmen and members of the board of control of the city and county building will be held Sept. 27.

The Republicans will be the last to put their ticket in the field, the Democrats having already named their ticket. The dates earlier in the month. The representation of the various districts at the city convention will be as follows: First district, Joseph Howell at large; second district, Joseph Howell at large; third district, Joseph Howell at large; fourth district, Joseph Howell at large; fifth district, Joseph Howell at large; sixth district, Joseph Howell at large; seventh district, Joseph Howell at large; eighth district, Joseph Howell at large; ninth district, Joseph Howell at large; tenth district, Joseph Howell at large.

At the city convention a new city committee will be chosen. County Attorney William H. Hanson, president of the city committee, has announced that he will be unable to serve in that capacity during the fall campaign, pleading business as the reason for his declination to serve longer.

GREEKS ON STRIKE.

Workmen Declare That There Is Grafting Going On.

The Greek workmen employed by the Utah Light & Railway company quit work yesterday morning claiming that they were being "held up" for graft by a "straw boss."

The foreigners went to the general offices of the street railway company and demanded that the boss be discharged, charging that he was exacting a fee of \$100 per month for his services. The boss, giving him the job. The Greeks claimed that yesterday morning one of their number was discharged, so that the boss of the gang could make \$5 by giving another Greek his place.

General Manager Joseph S. Wells of the company said he might be able to do something about the matter, but he didn't know anything about the alleged grafting of bosses and that strikes similar to yesterday's occur every week or so. "The men will all be back Monday asking for their jobs. We paid them off and let them go yesterday," he said.

HE WILL DO THAT.

(Catholic Standard Times.)

"Yes," said the volatile crank, "used to be as bad as you, but I made up my mind to quit smoking and drinking, and I did it."

"Indeed," remarked Manley, "I guess a man who can quit smoking and drinking could quit almost anything."

"O, yes."

"Except talking about it."

Getting Close to Nature

For a Nickel, The Price of

A Longfellow Cigar

It is a beautiful piece of goods in Pantella shape. A long, delicious smoke. An exceptional value of highest quality. Six for 25 cents. Fifty in a box for \$4.

SCHRAMM'S

"WHERE THE CARS STOP."

LAST WITNESS OF JOSEPH SMITH'S END DIES AT CARTHAGE

Judge William Hamilton died and was buried in Carthage, Hancock county, recently, says the Macon (Ill.) Journal. He was one of the pioneers of the county, and is believed to be the last eye-witness of the killing of the Mormon Prophet Joseph Smith at the Carthage jail June 27, 1844. That is, he was the last one who would acknowledge those who were concerned in the killing were never publicly known, and it is possible that some one of those may yet be alive, but hardly probable; at any rate, as said above, Hamilton was the last of those alive who could describe the action as it occurred.

In the forthcoming State Gazetteer and History of McDonough county, Judge Hamilton furnished Hon. A. S. McLean of this city much data for the chapter on the Mormons. At the time of the acute Mormon troubles and the killing of Joseph and Hiram Smith, Judge Hamilton was not yet grown. His father at the time kept the Carthage hotel, and young Hamilton as a lad about the house had extra opportunity of noting the goings on at this storm center of the Mormon troubles.

Joseph and his brother, Hiram Smith, were in jail at Carthage charged with "treason," but in reality as much for the purpose of being safe from mob violence as any other. On the surrender of the Smiths the great body of the militia that had assembled, most on Friday and Saturday, the regular instruction for the year begins Monday, Sept. 16.

Board of Regents of the University. William W. Ritter, Salt Lake City; term expires 1911.

Charles C. Pierce, Salt Lake City; term expires 1910.

Walderman Van Cott, Salt Lake City; term expires 1911.

Richard E. Little, Salt Lake City; term expires 1909.

Joseph T. Kingsbury, Salt Lake City; term expires 1911.

Anthony H. Lund, Salt Lake City; term expires 1911.

Frank C. Plummer, Salt Lake City; term expires 1909.

Antoinette B. Kinney, Salt Lake City; term expires 1911.

Richard W. Young, Salt Lake City; term expires 1909.

Samuel Newhouse, Salt Lake City; term expires 1911.

Officers of the Board—Chairman, William W. Ritter; secretary, David R. Allen; treasurer, Lewis S. Hills.

The Faculty and Other Instructors of the University.

Joseph T. Kingsbury Ph. D. D. Sc. (honorary), president.

William M. Stewart, M. D. D. Sc. (honorary), principal of normal school, professor of education.

George Montague Marshall, Ph. B. A. M. (Harvard university), professor of English language and literature.

Byron Cummins, A. B. A. M. (Rutgers college), dean of the school of arts and sciences, professor of ancient languages and literature.

Joseph Francis Merrill, S. B. Ph. D. (Johns Hopkins university), director of the school of mines, professor physics and electrical engineering.

William G. Boylston, S. B. (University of Utah), professor of history.

Richard Roswell Lyman, S. B. (C. E. Ph. D. (Cornell university), professor of civil engineering.

George Coray, S. B. A. M. (Columbia university), professor of economics and sociology.

Robert Henry Bradford, S. B. Ph. D. (Columbia university), professor of metallurgy.

Maad May Babcock, B. E. (Philadelphia National School of Oratory), director of the gymnasium for women, professor of elocution.

William Clarence Ebaugh, S. B. Ph. D. (University of Pennsylvania), professor of chemistry.

Milton Bennion, S. B. A. M. (Columbia university), professor of philosophy.

Edwin Evans, professor of art.

Gustave Algot Overstrom, professor of mining and milling.

James Lambert Gibson, S. B. A. M. (Columbia university), professor of mathematics.

Nathan Tanner Porter, A. B. Ph. M. (University of Chicago), professor of finance and business law.

Ralph Vary Chamberlain, S. B. Ph. D. (Cornell university), professor of zoology.

Torild Arnoldson, A. B. A. M. (Monmouth college), professor of modern languages.

Ross Anderson, M. D. (College of Physicians and Surgeons), professor of bacteriology and pathology.

Elmer Myron Reed, S. B. (C. E. Ph. D. (Cornell university), professor of mechanical engineering.

Robert Welles Fisher, Ph. G. M. D. (Jefferson Medical college), professor of materia medica.

Joseph E. McKnight, principal of the training school and director of training.

Ira D. Cardiff, S. B. Ph. D. (Columbia university), professor of botany.

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Hamilton and his companions were not twenty feet distant from where Smith struck the ground when he jumped from the jail and, of course, saw the killing. The men who fired the deadly bullets had their faces blackened with gunpowder, and came running up in single file like Indians when the firing began on the other side of the building where the entry door to the jail was.

The bodies of the two Smiths (Hiram had been killed inside the jail before Joseph jumped out) were taken to the hotel of young Hamilton's father, who, being a carpenter as well as a hotel-keeper, made two coffins of pine, in which the remains were placed and were hauled in his wagon under guard of a company of state militia to a point near Nauvoo, where they were delivered over to the faithful followers, who buried them with the same honor as of the church. The other three lads who witnessed the tragedy have passed away years ago, and the recent death of Judge Hamilton takes from earth the last witness of the great tragedy.

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